

DISCUSSION OF THE AMENDMENT

Claims 1, 3-12, 14-22, 24-28, 30-38, 40 and 46-48 are pending in the application.

Claims 2, 13, 23, 29, 39 and 41-45 are canceled claims. Claims 46-48 are new claims.

Support for new Claim 46 is found in the table on page 17 of the specification and in the paragraph bridging pages 15 and 16. Support for new Claims 47 and 48 is found in the previously presented claims.

No new matter is added.

REMARKS

Independent Claim 1 is drawn to a membrane that comprises a coating present on and in a sheetlike flexible substrate. The coating comprises an adhesion promoter that is one of a glycidyloxy-functionalized and a methacryloyloxy-functionalized silane. Applicants submit that presently pending Claim 1 is patentable over the prior art of record.

The Office rejected previously pending Claim 43 over the combination of Guiver (U.S. 2002/0062737); Penth (U.S. 6,309,545); and “Silane Coupling Agents.” Previously pending Claim 43 included a glycidyloxy-functionalized and a methacryloyloxy-functionalized silane.

Applicants draw the Office’s attention to the first page of the “Silane Coupling Agents” publication relied on by the Office which discloses (underlining added):

Organofunctional groups attached to silicon through alkoxy or acyloxy linkages generally do not have sufficient hydrolytic stability to provide environmentally stable bonds between resin and reinforcement. Thus, allyoxysilanes or silanes with glycidyloxy or methacryloyloxy substituents on silicone are not useful as coupling agents.

The art relied on by the Office (i.e., the “Silane Coupling Agents” publication) expressly teaches that the adhesion promoters now recited in Claim 1 “are not useful as coupling agents.” Applicants submit that it is readily evident to those of ordinary skill in the art that the publications relied on by the Office teaches away from the presently claimed invention. Thus, the rejection of Claim 1 in view of Guiver, Penth, and “Silane Coupling Agents” is not supportable and the presently pending claims should be allowed.

Applicants note that it was previously argued during the prosecution of this application that Guiver discloses the use of a particular adhesion promoter for bonding a particular polymer (i.e., polysulfone). Applicants do not agree with the Office’s rejection insofar as the Office extends the teachings of Guiver to encompass all adhesion promoters and all polymers. Applicants also disagree with the Office’s assertion that Penth discloses or

suggests the presently claimed invention. The Penth invention is one that is described to contain a constituent solidified on or in a support. The constituent is one that “essentially contains a compound consisting of a metal and at least one element from group III to VII of the periodic system” (column 2, lines 20-22 of Penth). Applicants submit that the Office has provided no explanation how the Penth composition which “essentially contains” certain materials that “consist[] of certain materials” can, in addition, include an adhesion promoter. Regardless of these distinctions, in order to expedite prosecution, Applicants amend Claim 1 as shown in the attached amended claims.

Applicants further submit that the rejections for obviousness-type double patenting in view of co-pending Applications 10/504,144; 10/524,143; 10/524,669; 10/519,097; 10/575,268; 10/575,759; and 10/575,734; should also be withdrawn in view of the fact that the art cited by the Office demonstrates that those of ordinary skill in the art would have no basis for arriving at the presently claimed invention, e.g., the cited art states that the adhesion promoter recited in the present claims “are not useful as coupling agents.” Applicants request withdrawal of the obviousness-type double patenting rejections and allowance of all now pending claims.

For the reasons discussed above, Applicants submit that all now-pending claims are in condition for allowance. Applicants request withdrawal of the rejection and the mailing of a Notice of Allowance acknowledging the patentability of the presently claimed subject matter.

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